

## CLERK'S MINUTES

***BEFORE DISTRICT JUDGE JAMES O. BROWNING (IN LAS CRUCES)***

<b>CASE No.:</b>	No. CR 15-4268 JB	<b>DATES:</b>	February 12-16, 2018
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<b>CASE CAPTION:</b>	<i>USA v. DeLeon, et al.</i>		
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<b>CRD:</b>	J. Standridge	<b>COURT REPORTER:</b>	J. Bean
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**MONDAY, FEBRUARY 12, 2018**

<b>COURT IN SESSION:</b>	8:22 a.m. 9:59 a.m. 11:45 a.m. 2:13 p.m. 4:01 p.m.	<b>COURT IN RECESS:</b>	9:47 a.m. = 1:25 11:31a.m. = 1:32 1:17 p.m. = 1:32 3:46 p.m. = 1:33 5:32 p.m. = 1:31 <b>TOTAL = 7:33</b>
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**TUESDAY, FEBRUARY 13, 2018**

<b>COURT IN SESSION:</b>	8:23 a.m. 10:01 a.m. 11:48 a.m. 2:14 p.m. 4:03 p.m.	<b>COURT IN RECESS:</b>	9:47 a.m. = 1:24 11:34 a.m. = 1:33 1:16 p.m. = 1:28 3:46 p.m. = 1:32 5:32 p.m. = 1:29 <b>TOTAL = 7:26</b>
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**WEDNESDAY, FEBRUARY 14, 2018**

<b>COURT IN SESSION:</b>	8:19 A.M. 10:01 A.M. 11:43 A.M. 2:14 P.M. 4:01 P.M.	<b>COURT IN RECESS:</b>	9:44 A.M. = 1:25 11:31 A.M. = 1:30 1:19 P.M. = 1:36 3:46 P.M. = 1:32 5:32 P.M. = 1:31 <b>TOTAL = 7:35</b>
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**THURSDAY, FEBRUARY 15, 2018**

<b>COURT IN SESSION:</b>	8:22 A.M. 8:36 A.M. 9:48 A.M. 11:57 A.M. 1:26 P.M. 3:15 P.M. 5:02 P.M.	<b>COURT IN RECESS:</b>	8:26 A.M. = 0:04 9:30 A.M. = 0:54 10:06 A.M. = 0:18 12:02 P.M. = 0:05 3:02 P.M. = 1:36 4:47 P.M. = 1:32 5:26 P.M. = 0:24 <b>TOTAL = 4:53</b>
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**FRIDAY, FEBRUARY 16, 2018**

<b>COURT IN SESSION:</b>	8:24 A.M. 10:21 A.M. 1:13 P.M. 3:01 P.M. 4:44 P.M.	<b>COURT IN RECESS:</b>	10:02 A.M. = 1:38 11:48 A.M. = 1:27 2:46 P.M. = 1:33 4:32 P.M. = 1:31 5:32 P.M. = 0:48 <b>TOTAL = 6:57</b>
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**TYPE OF PROCEEDING:** Jury Selection/Jury Trial (see below)

**COURT'S RULING/DISPOSITION:**

1.

**ORDER CONSISTENT WITH COURT'S RULING TO BE  
PREPARED BY:**

**ATTORNEYS PRESENT FOR PLAINTIFF(S):**

Maria Armijo/Randy Castellano/  
Matthew Beck, AUSAs

**ATTORNEYS PRESENT FOR DEFENDANT(S):**

Richard Jewkes/Amy Jacks (for Deft. Daniel  
Sanchez)

Marc Lowry/Theresa Duncan (for Deft. Anthony  
Ray Baca)

William Maynard/Carrie Bhalla (for Deft. Carlos  
Herrera)

Ryan Villa/Justine Fox-Young (for Deft. Rudy  
Perez)

**COURT IN SESSION:**

**8:30 a.m.**

**COURT:**

Calls case. Counsel enter appearances. FBI  
Special Case Agent Brian Acee present. Eda  
Gordon, Investigator, present with Defendant  
Perez. Cynthia Gilbert, paralegal, present for all  
defense teams.

**MONDAY, FEBRUARY 12, 2018**

**8:22 a.m. Court in session**

**Court:** Inquires of Jason Duran (DACDC) Re: Rudy Perez.

**Jason Duran:** Addresses DACDC records of Deft Perez.

**Court: DACDC Records Re: Rudy Perez, marked as Clerk's Exhibit J. Placed under seal.**

**Court:** Reminds Mr. Armenta that he is still under oath.

**Ms. Jacks:** Continue cross examination of Mr. Armenta.

**9:18 a.m. Ms. Jacks:** Request to admit Defendant Exhibit EJ.

**Govt:** No objections.

**Court: Admits Defendant Exhibit EJ.**

**9:47 a.m. Court in recess.**

**9:59 a.m. Court in session.**

**10:01 a.m. Ms. Jacks:** Requests Mr. Armenta authenticate sex video visits. (Defendant Exhibit AB2)

**10:07 a.m. Jury enters courtroom.**

**Court:** Reminds Mr. Armenta he is still under oath.

**Ms. Jacks:** Continues cross examination of Mr. Armenta. Requests Defendant Exhibit AB2, be admitted.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit AB2.**

**10:27 a.m. Ms. Jacks:** Moves to admit Defendant Exhibits FD & FE.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibits FD & FE.**

**10:28 a.m. Ms. Jacks:** Passes the witness.

**Mr. Maynard:** Cross examination of Mr. Armenta on behalf of Deft Herrera.

**10:45 a.m. Mr. Maynard:** Passes the witness.

**Ms. Fox-Young:** Cross examination of Mr. Armenta on behalf of Deft Perez.

**11:05 a.m. Ms. Fox-Young:** Moves admission of Defendant Exhibit FF.

**Mr. Castellano:** Objects, hearsay.

**11:06 a.m. Court:** Calls and conducts bench conference.

**11:08 a.m. Ms. Fox-Young:** Continue cross examination of Mr. Armenta.

**11:18 a.m. Ms. Fox-Young:** Passes the witness.

**Ms. Duncan:** Cross examination of Mr. Armenta, on behalf of Deft Baca.

**11:31 a.m. Court in recess.**

**11:45 a.m. Court in session.**

**Court: Admits SEALED Clerk's Exhibit K.**

**11:48 a.m. Jury enters courtroom.**

**11:50 a.m. Ms. Duncan:** Passes the witness.

**Mr. Castellano:** Re-direct of Mr. Armenta.

**11:57 a.m. Court:** Calls and conducts bench conference.

**12:01 p.m. Mr. Castellano:** Continues re-direct of Mr. Armenta.

**12:04 p.m. Mr. Castellano:** Passes the witness

**Court:** Mr. Armenta may step down from the witness stand. Witness is subject to be recalled. Court admonishes the witness from discussing the case or his testimony with anyone.

**12:05 p.m. Mr. Castellano:** Calls Jorge Borjas to the witness stand.

**Clerk:** Swears in Jorge Borjas.

**Mr. Castellano:** Direct examination of Mr. Borjas.

**12:20 p.m. Mr. Castellano:** Passes the witness.

**Mr. Villa:** Cross examination of Mr. Borjas, on behalf of Deft Perez.

**12:23 p.m. Mr. Villa:** Passes the witness.

**Mr. Lowry:** Cross examination of Mr. Borjas, on behalf of Deft Perez.

**12:28 p.m. Mr. Lowry:** Passes the witness.

**Ms. Jacks:** Cross examination of Mr. Borjas, on behalf of Deft Sanchez.

**12:36 p.m. Ms. Jacks:** Moves for the admission of Defendant Exhibits G1-G14.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibits G1-G14.**

**12:44 p.m. Ms. Jacks:** Moves for the admission of Defendant Exhibit S2.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit S2.**

**12:54 p.m. Ms. Jacks:** Passes the witness.

**Mr. Castellano:** Re-direct examination of Mr. Borjas.

**1:17 p.m. Court in recess.**

**2:13 p.m. Court in session.**

**Ms. Jacks:** Addresses statement by witness Jerry Montoya.

**Ms. Fox-Young:** Responds to statements from Ms. Jacks re: Jerry Montoya.

**2:19 p.m. Court: Admits Clerk's Exhibit L (e-mail from USMS Mickendrow re: Mr. Perez).**

**2:20 p.m. Ms. Bhalla:** Requests the Court admonish those observing the trial not have contact with the jurors.

**Court:** Instructs court observers that they may not have contact with any of the jurors.

**2:21 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Borjas that he is still under oath.

**Mr. Castellano:** Continues re-direct examination of Mr. Borjas.

**2:23 p.m. Mr. Castellano:** Passes the witness.

**Mr. Villa:** Re-cross examination of Mr. Borjas.

**2:26 p.m. Mr. Villa:** Passes the witness

**Ms. Jacks:** Re-cross examination of Mr. Borjas.

**2:28 p.m. Ms. Jacks:** Passes the witness.

**Mr. Castellano:** No further questions.

**Court:** Mr. Borjas may step down from the witness stand. Witness is subject to recall. Witness must exit the courtroom.

**2:29 p.m. Mr. Beck:** Jerry Montoya called to the witness stand.

**Clerk:** Swears in Jerry Montoya.

**Mr. Beck:** Direct examination of Mr. Montoya.

**2:45 p.m. Mr. Beck:** Moves to admit Govt Exhibits 680 & 681.

**Defense:** No objection.

**Court: Admits Govt Exhibits 680 & 681.**

**3:06 p.m.** Mr. Montoya identifies Deft Sanchez.

**3:35 p.m.** Mr. Montoya identifies Deft Baca.

**3:46 p.m. Court in recess.**

**4:01 p.m. Court in session.**

**Ms. Fox-Young:** Moves to admits Defendant Exhibits V1, V2, V3, V4, V7, V9, V10, V11, V12, V14, V16, V17, V18, V19, V20, V21, V22, V23, V26, V27, V28, V29, V30 & V31.

**Ms. Jacks:** Objects, requests opportunity to review.

**Ms. Duncan:** Raises the issue of questioning by the Govt re: Mr. Baca and Mr. Rubio.

**Mr. Beck:** Responds to Ms. Duncan's issue.

**4:04 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Montoya he is still under oath.

**Mr. Beck:** Continues direct examination of Mr. Montoya.

**4:09 p.m. Court:** Calls and conducts bench conference.

**4:10 p.m. Mr. Beck:** Continues direct examination of Mr. Montoya.

**4:12 p.m. Court:** Calls and conducts bench conference.

**4:16 p.m. Mr. Beck:** Continues direct examination of Mr. Montoya.

**4:20 p.m. Mr. Beck:** Passes the witness.

**Ms. Fox-Young:** Cross examination of Mr. Montoya on behalf of Deft Perez.

**4:38 p.m. Court:** Calls and conducts bench conference.

**4:40 p.m. Ms. Fox-Young:** Continues cross examination of Mr. Montoya on behalf of Deft Perez.

**Ms. Fox-Young:** Marks & plays Defendant Exhibit Z12.

**4:45 p.m. Ms. Fox-Young:** Marks & plays Defendant Exhibit Z11.

**5:09 p.m. Ms. Fox-Young:** Moves to admit Defendant Exhibit V21.

**Govt & Defense:** No objection.

**Court:** Admits Defendant Exhibit V21.

**5:13 p.m. Mr. Beck:** Objection, calls for hearsay.

**Ms. Fox-Young:** Moving on.

**5:28 p.m. Ms. Fox-Young:** Passes the witness.

**Mr. Jewkes:** Cross examination of Mr. Montoya on behalf of Deft Sanchez.

**5:32 p.m. Court in recess.**

**TUESDAY, FEBRUARY 13, 2018**

**8:23 a.m. Court in session**

**Court:** Juror #13 not feeling well. In emergency room last night.

**Mr. Villa:** Addresses writs shown to Govt by USMS.

**Mr. Acee:** Indicates he does not remember the name he read on the list by the USMS.

**Ms. Jacks:** Ready to argue the 23 exhibits proposed for admission by Ms. Fox-Young.

**Ms. Fox-Young:** Withdraws her proposed admission. Willing to motion each exhibit as it comes up.

**8:29 a.m. Jury enters courtroom.**

**Court:** Reminds Mr. Montoya that he is still under oath.

**Mr. Jewkes:** Continues cross examination of Mr. Montoya, on behalf of Deft Sanchez.

**9:02 a.m. Mr. Jewkes:** Moves to admit Defendant Exhibits FI & FJ.

**Govt & Defense:** No objection.

**Court:** Admits Defendant Exhibits FI & FJ.

**Mr. Jewkes:** Passes the witness.

**Ms. Duncan:** Cross examination of Mr. Montoya, on behalf of Deft Baca.

**9:10 a.m. Ms. Duncan:** Moves to admit Defendant Exhibit FG.

**Govt & Defense:** No objection.

**Court:** Admits Defendant Exhibit FG.

**9:19 a.m. Ms. Duncan:** Marks Defendant Exhibit FK.

**9:22 a.m. Ms. Duncan:** Marks Defendant Exhibit FL.

**9:24 a.m. Ms. Duncan:** Marks Defendant Exhibit FM.

**9:32 a.m. Ms. Duncan:** Marks Defendant Exhibit FN.

**9:34 a.m. Ms. Duncan:** Moves to admit Defendant Exhibit FN.

**Court:** Calls and conducts bench conference.

**9:35 a.m. Ms. Duncan:** Continues cross examination of Mr. Montoya.

**9:47 a.m. Court in recess.**

**10:01 a.m. Court in session.**

**Court:** Reminds Mr. Montoya that he is still under oath.

**Ms. Duncan:** Continue cross examination of Mr. Montoya.

**10:08 a.m. Ms. Duncan:** Passes the witness.

**Mr. Beck:** Re-direct examination of Mr. Montoya.

**10:15 a.m. Mr. Beck:** Moves to admit Defendant Exhibits FK, FL & FM.

**Defense:** No objection

**Court:** Admits Defendant Exhibits FK, FL & FM.

**10:23 a.m. Ms. Jacks:** Requests limiting instruction.

**Court:** Limiting instruction – Witness' last statement may only be used in consideration of Mr. Perez, and may not be used against the remaining 3 defendants.

**10:24 a.m. Mr. Beck:** Passes the witness.

**Ms. Fox-Young:** Re-cross examination of Mr. Montoya.

**10:26 a.m. Ms. Fox-Young:** Passes the witness.

**Ms. Duncan:** Re-cross examination of Mr. Montoya.

**10:31 a.m. Ms. Duncan:** Passes the witness.

**Mr. Beck:** No further questions.

**Court:** Mr. Montoya may step down from the witness stand. Witness is subject to recall. Witness is admonished from speaking about his testimony or the case with anyone.

**10:32 a.m. Mr. Beck:** Calls Rogelio Fierro to testify.

**Clerk:** Swears in Rogelio Fierro.

**Mr. Beck:** Direct examination of Mr. Fierro.

**10:44 a.m. Mr. Beck:** Passes the witness.

**Mr. Villa:** Cross examination of Mr. Fierro, on behalf of Deft Perez.

**10:45 a.m. Mr. Villa:** Passes the witness.

**Defendants:** No other defense counsel has cross examination for Mr. Fierro.

**Mr. Beck:** Re-direct of Mr. Fierro.

**10:46 a.m. Court:** **Mr. Fierro may step down from the witness stand. Witness is excused from the proceedings.**

**Ms. Armijo:** Calls Timothy Martinez to testify.

**10:47 a.m. Court:** Calls and conducts bench conference.

**10:52 a.m. Clerk:** Swears in Timothy Martinez.

**Ms. Armijo:** Direct examination of Mr. Martinez.

**10:55 a.m. Ms. Armijo:** Moves to admit Govt Exhibit 236.

**Defense:** No objection.

**Court:** **Admits Govt Exhibit 236.**

**11:08 a.m.** Witness identifies Deft Baca.

**11:13 a.m. Ms. Armijo:** Moves to admit Govt Exhibits 491, 763, 764 & 765.

**Defense:** No objection.

**Court:** **Admits Govt Exhibits 491, 763, 764 & 765.**

**11:19 a.m.** Witness identifies Deft Sanchez.

**11:28 a.m. Ms. Bhalla:** Stipulates to identification of Deft Herrera.

**Mr. Villa:** Stipulates to identification of Deft Perez.

**11:33 a.m. Jury exits courtroom.**

**Court:** Addresses e-mail from DUSM Mickendrow. **Admits as Clerk's Exhibit M.**

**11:34 a.m. Court in recess.**

**11:48 a.m. Court in session.**

**Court:** Reminds Mr. Martinez is still under oath.

**Ms. Armijo:** Continues direct examination of Mr. Martinez.

**12:39 p.m. Mr. Villa:** Requests limiting instruction.



**Court: Testimony of Mr. Martinez can be only be used as evidence against Deft Sanchez. Testimony may not be used against other 3 defendants.**

**12:54 p.m. Court:** Calls and conducts bench conference.

**12:59 p.m. Ms. Armijo:** Continue direct examination of Mr. Martinez.

**Court: Limiting instruction- Statement by Mr. Martinez can only be used as evidence against Mr. Baca.**

**1:07 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 676 & 677.

**Defense:** No objection.

**Court: Admits Govt Exhibits 676 & 677.**

**1:16 p.m. Court in recess.**

**2:14 p.m. Court in session.**

**Court:** Reminds Mr. Martinez he is still under oath.

**Ms. Armijo:** Passes the witness.

**Ms. Duncan:** Cross examination of Mr. Martinez, on behalf of Deft Baca.

**2:39 p.m. Ms. Duncan:** Moves to admit Defendant Exhibit FO.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit FO.**

**3:02 p.m. Ms. Duncan:** Moves to admit Defendant Exhibit FP.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit FP.**

**3:20 p.m. Ms. Duncan:** Passes the witness.

**Mr. Jewkes:** Cross examination of Mr. Martinez, on behalf of Deft Sanchez.

**3:45 p.m. Mr. Jewkes:** Passes the witness.

**Mr. Villa:** Cross examination of Mr. Martinez, on behalf of Deft Perez.

**3:46 p.m. Court in recess.**

**4:03 p.m. Court in session.**

**Court:** Reminds Mr. Martinez that he is still under oath.

**Mr. Villa:** Continues cross examination of Mr. Martinez.

**Mr. Villa:** Plays for the jury marked Defendant Exhibit Z15.

**4:15 p.m. Court:** Calls and conducts bench conference.

**4:16 p.m. Mr. Villa:** Continues cross examination of Mr. Martinez.

**4:22 p.m. Mr. Villa:** Plays for the jury marked Defendant Exhibit Z13.

**4:24 p.m. Mr. Villa:** Plays for the jury marked Defendant Exhibit Z14.

**4:41 p.m. Mr. Villa:** Moves to admit Defendant Exhibit V19.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit V19.**

**4:46 p.m. Ms. Armijo:** Objection, calls for hearsay.

**Court:** Sustained.

**4:47 p.m. Court:** Calls and conducts bench conference.

**4:49 p.m. Court:** Limiting instruction – Cannot consider the truth of the rumor.

**Mr. Villa:** Continues cross examination of Mr. Martinez.

**4:53 p.m. Mr. Villa:** Passes the witness.

**Mr. Jewkes:** Re-cross examination of Mr. Martinez.

**4:58 p.m. Mr. Jewkes:** Passes the witness.

**Court:** Calls and conducts bench conference.

**4:59 p.m. Jurt exits courtroom.**

**Court:** Addresses Ms. Molina re: conduct in court.

**5:02 p.m. Jury enters courtroom.**

**Ms. Armijo:** Re-direct of Mr. Martinez.

**5:14 p.m. Ms. Armijo:** No further questions.

**Ms. Duncan:** Re-cross examination of Mr. Martinez.

**5:18 p.m. Ms. Armijo:** Objection, beyond the scope of re-direct.

**Court:** Will allow. Over-ruled.

**5:18 p.m. Ms. Duncan:** Passes the witness.

**Court: Mr. Martinez may step down from the witness stand. Witness is subject to recall. Admonishes the witness to not discuss his testimony or this trial with anyone.**

**5:19 p.m. Ms. Armijo:** Calls Jack Vigil to testify.

**Clerk:** Swears in Jack Vigil.

**Ms. Armijo:** Direct examination of Mr. Vigil.

**5:32 p.m. Court in recess.**

**WEDNESDAY, FEBRUARY 14, 2018**

**8:19 a.m. Court in session.**

**Mr. Beck:** Informs the court of a sealed complaint re: Julian Romero. Oral request to unseal complaint, motion to dismiss complaint and order.

**Defense:** No objection.

**Court:** Oral Order to unseal Complaint, Motion to Dismiss Complaint and Order re: Julian Romero.

**8:20 a.m. Ms. Bhalla:** Addresses the trial brief filed by Ms. Bhalla re: cross examination of Mr. Archuleta.

**Court:** Inclined to deny requests in the trial brief, but will take a second look.

**Mr. Beck:** Same position as the Court re: Mr. Archuleta.

**8:26 a.m. Mr. Villa:** Requests a day's notice before the Govt calls Mr. Cordova.

**Ms. Armijo:** Anticipates calling Mr. Cordova early next week. Will inform defense prior to calling Mr. Cordova.

**Court:** Informs parties to notify the Clerk at the end of each day, who will be called the next day.

**8:28 a.m. Jury enters courtroom.**

**Court:** Reminds Mr. Vigil that he is still under oath.

**Ms. Armijo:** Continues direct examination of Mr. Vigil.

**8:30 a.m. Ms. Armijo:** Moves to admit Govt Exhibit 268.

**Defense:** No objection.

**Court:** Admits Govt Exhibit 268.

**8:31 a.m. Ms. Armijo:** Passes the witness.

**Defense:** No cross examination.

**8:32 a.m. Court:** Mr. Vigil may step down from the witness stand. Witness is excused from the proceedings.

**Mr. Beck:** Julian Romero called to testify.

**8:34 a.m. Clerk:** Swears in Julian Romero.

**Mr. Beck:** Direct examination of Mr. Romero.

**8:40 a.m. Mr. Beck:** Moves to admit Govt Exhibits 494, 670, 671, 672.

**Defense:** No objection.

**Court: Admits Govt Exhibits 494, 670, 671, 672.**

**8:59 a.m. Mr. Beck:** Moves to admit Govt Exhibit 761.

**Defense:** No objection.

**Court: Admits Govt Exhibit 761.**

**9:02 a.m. Mr. Beck:** Moves to admit Govt Exhibit 760.

**Defense:** No objection.

**Court: Admits Govt Exhibit 760.**

**9:43 a.m. Mr. Beck:** Passes the witness.

**Court:** Calls and conducts bench conference.

**9:44 a.m. Court in recess.**

**10:01 a.m. Court in session.**

**Court:** Addresses Deft Perez redactions or objections.

**10:03 a.m. Court:** Calls and conducts bench conference.

**Court:** Admonishes assistant to Steve Almanza.

**10:04 a.m. Court:** Calls and conducts bench conference.

**10:06 a.m. Jury enters courtroom.**

**Court:** Reminds Mr. Romero is still under oath.

**Defense Counsel:** No cross examination of Mr. Romero by any defense counsel.

**Court: Mr. Romero may step down from the witness stand. Witness is excused from the proceedings.**

**10:07 a.m. Mr. Castellano:** Martin Espinoza called to testify.

**Clerk:** Swears in Martin Espinoza.

**Mr. Castellano:** Direct examination of Mr. Espinoza.

**10:15 a.m. Mr. Castellano:** Moves to admit Govt Exhibits 254-264.

**Defense:** No objections.

**Court: Admits Govt Exhibits 254-264.**

**10:28 a.m. Mr. Castellano:** Passes the witness.

**Mr. Lowry:** Cross examination of Mr. Espinoza.

**10:32 a.m. Mr. Lowry:** Passes the witness.

**Defense Counsel:** No cross examination of Mr. Espinoza by any other defense counsel.

**Mr. Castellano:** No further questions.

**Court: Mr. Espinoza may step down from the witness stand. Witness is excused from the proceedings.**

**Mr. Beck:** Gerald Archuleta called to testify.

**10:37 a.m. Clerk:** Swears in Gerald Archuleta.

**Mr Beck:** Moves to admit Govt Exhibits 690, 691, 246.

**Defense:** No objections.

**Court: Admits Govt Exhibits 690, 691, 246.**

**Mr. Beck:** Direct examination of Mr. Archuleta.

**11:19 a.m. Mr. Archuleta** identifies Deft Sanchez.

**11:31 a.m. Court in recess.**

**11:43 a.m. Court in session.**

**Mr. Beck:** Requests to address an issue outside the presence of the jury.

**Court:** Calls and conducts bench conference.

**11:46 a.m. Mr. Beck:** Direct examination of Mr. Archuleta outside the presence of the jury.

**11:55 a.m. Mr. Lowry:** Cross examination of Mr. Archuleta outside the presence of the jury.

**12:05 p.m. Mr. Beck:** Re-directs examination of Mr. Archuleta outside the presence of the jury.

**12:07 p.m. Mr. Lowry:** Request to call Agent Acee to the witness stand.

**Mr. Beck:** Agrees to request, perhaps not at this time due to time constraints.

**Court:** Suggests Mr. Archuleta proceed with testimony outside the presence of the jury.

**Mr. Beck:** Agrees to have Mr. Acee testify.

**12:10 p.m. Court:** Mr. Archuleta removed from the courtroom. Mr. Acee re-called to the witness stand. Mr. Acee reminded that he is still under oath.

**Mr. Lowry:** Direct examination of Mr. Acee.

**12:14 p.m. Mr. Beck:** Cross examination of Mr. Acee.

**Mr. Lowry:** Objection, Mr. Acee is not a lie detector.

**Court:** See where testimony is going, prior to making a ruling.

**12:16 p.m. Mr. Beck:** Passes the witness.

**Mr. Lowry:** Re-direct examination of Mr. Acee.

**12:22 p.m. Mr. Lowry:** No further questions.

**Mr. Beck:** Re-cross examination of Mr. Acee.

**12:24 p.m. Court:** Mr. Acee may step down from the witness stand. Court addresses issues raised by Mr. Beck.

**Mr. Beck:** Responds to comments by the Court.

**12:28 p.m. Court:** Will give thought on this matter. Not convinced at this time. Will conduct further research on this matter.

**Mr. Beck:** Understands the Court's position on this matter. Disclosed last de-brief date of Mr. Archuleta.

**Ms. Armijo:** Responds to the disclosure of defendant's exhibit-brief of Mr. Archuleta.

**Mr. Lowry:** Responds to issues related to upcoming testimony of Mr. Archuleta.

**Ms. Bhalla:** Responds to transcripts proposed with upcoming testimony.

**Mr. Beck:** Transcripts related to Mr. Herrera, disclosed on 02/01/2018.

**Ms. Bhalla:** Unaware of which portions of the transcript will be used.

**12:35 p.m. Ms. Jacks:** Makes objection of tapes made of Mr. Herrera.

**12:36 p.m. Mr. Beck:** Moves to admit Govt Exhibits 206, 208, 210, 212, 214, 216.

**Defense:** No objection.

**Court:** Admits Govt Exhibits 206, 208, 210, 212, 214, 216.

**12:39 p.m. Court:** Reminds Mr. Archuleta is still under oath.

**Mr. Beck:** Continues direct examination of Mr. Archuleta.

**12:40 p.m. Mr. Beck:** Request to play recordings of Mr. Archuleta and Mr. Herrera.

**Court:** Limiting instruction – Recording of Mr. Herrera may only be used as evidence against Mr. Herrera, and not against the other 3 defendants.

**12:43 p.m.** Mr. Archuleta identifies Mr. Herrera.

**Mr. Beck:** Continues direct examination of Mr. Herrera.

**12:54 p.m. Ms. Bhalla:** Objects to the stopping to the audio recordings.

**Court:** Admissible.

**1:12 p.m. Ms. Bhalla:** Requests to approach.

**1:15 p.m. Court:** Jury Instructions re: transcripts given at time of deliberation.

**1:19 p.m. Court in recess.**

**2:14 p.m. Court in session.**

**Court:** Informs parties of evidence that will not be allowed in.

**2:21 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Archuleta that he is still under oath.

**Mr. Beck:** Continues direct examination of Mr. Archuleta.

**3:02 p.m. Mr. Beck:** Moves to admit Govt Exhibits 651, 652, 653

**3:04 p.m. Mr. Lowry:** May we approach.

**Court:** Calls and conducts bench conference.

**3:06 p.m. Court: Admits Govt Exhibits 651, 652, 653.**

**3:08 p.m. Mr. Archuleta** identifies Deft Baca.

**Mr. Lowry:** Cross examination of Mr. Archuleta, on behalf of Deft Baca.

**3:46 p.m. Court in recess.**

**4:01 p.m. Court in session.**

**Court:** Reminds Mr. Archuleta he is still under oath.

**Mr. Lowry:** Continue cross examination of Mr. Archuleta.

**4:11 p.m. Court:** Calls and conducts bench conference.

**Mr. Lowry:** Continue cross examination of Mr. Archuleta.

**4:55 p.m. Mr. Lowry:** Passes the witness.

**Ms. Bhalla:** Cross examination of Mr. Archuleta, on behalf of Deft Herrera.

**5:00 p.m. Ms. Bhalla:** Passes the witness.

**Mr. Beck:** Re-direct examination of Mr. Archuleta.

**5:06 p.m. Mr. Beck:** No further questions.

**Mr. Lowry:** Re-cross examination of Mr. Archuleta.

**5:08 p.m. Mr. Lowry:** No further questions.

**Mr. Beck:** Re-direct examination of Mr. Archuleta.

**Court:** Mr. Archuleta may step down from the witness stand. Witness is excused from the proceedings.

**5:10 p.m. Ms. Armijo:** Calls Federico Munoz to testify.

**Clerk:** Swears in Federico Munoz.

**Ms. Armijo:** Direct examination of Federico Munoz.

**5:16 p.m. Ms. Armijo:** Moves to admit Govt Exhibit 737.

**Defense:** No objection.

**Court:** Admits Govt Exhibit 737.

**5:25 p.m.** Mr. Munoz identifies Deft Baca.

**5:27 p.m. Ms. Duncan:** Request to approach the bench.

**Court:** Calls and conducts bench conference.

**5:29 p.m. Ms. Armijo:** Continues direct examination of Mr. Munoz.

**Ms. Duncan:** Objection, hearsay.

**Ms. Armijo:** Asks additional question, to lay foundation.

**Court:** Limiting instruction – Statement can only be used for the impact it had on Mr. Munoz, but may not be considered for the truth.

**5:32 p.m. Court in recess.**

**THURSDAY, FEBRUARY 15, 2018**

**8:22 a.m. Court in session.**

**Court:** Inquires if Mr. Villa would want to inform the jury the location of Ms. Fox-Young.

**Mr. Villa:** Requests the court make the announcement.

**Court:** Juror #13 is in the emergency room with a respiratory problem. Juror has been in contact with the Court.

**Ms. Armijo:** Proposes that we wait for an update from the Juror.

**Defense:** Is in agreement to waiting for an update from Juror #13.

**8:26 a.m. Court in recess.**

**8:36 a.m. Court in session.**

**Court:** As of 20 minutes ago, Juror #13 was on her way to the Emergency Room. As of this time, Ms. Wild has not been able to make contact with Juror #13.

**Mr. Castellano:** Proposes to use the time productively by working on the Proposed Jury Instructions.



**9:30 a.m. Court in recess.**

**9:48 a.m. Court in session.**

**Court:** Update on Juror #13, medical condition. Juror at the ER waiting room, at Mountain View.

**Mr. Castellano:** Agrees to wait for the return of Juror #13.

**Ms. Bhalla:** On behalf of all defense counsel, agrees with the Govt. Agrees to wait for Juror #13 to return.

**Mr. Villa:** Requests clean transcripts and audio of Mr. Perez.

**Mr. Castellano:** Responds to request by Mr. Villa.

**Court:** Currently working on transcripts of Mr. Baca.

**Mr. Beck:** Informs the Court if a recess is taken at this time, he can work on the requested transcripts.

**Court:** Inquires if the order the Court is working on the transcripts is the correct order.

**Mr. Maynard:** Inquires from the Govt the portions of the transcripts that will be used re: Mr. Herrera.

**Mr. Beck:** Responds to inquiry by Mr. Maynard re: Mr. Herrera.

**Ms. Armijo:** Addresses the order of witnesses, depending on the availability of witness counsel.

**9:59 a.m. Court:** Calls and conducts bench conference.

**10:05 a.m. Court:** Instruct clerk to inform jurors of the delay. Court informs parties of the most recent update re: Juror #13.

**10:06 a.m. Court in recess.**

**11:57 a.m. Court in session.**

**Court:** Updates parties of condition of Juror #13. Inquires how parties would like to proceed.

**Ms. Armijo:** Addresses concerns of releasing jurors. Would like to continue waiting for return of Juror #13.

**Ms. Duncan:** Suggests taking lunch now and checking back later this afternoon.

**Ms. Jacks:** Suggests breaking for the day and returning tomorrow morning.

**Court:** Instructs Clerk to release the jury for lunch.

**Mr. Villa:** Concurs with proposal by Ms. Jacks.

**12:02 p.m. Court in recess.**

**1:26 p.m. Court in session.**

**Court:** Places on the record e-mails from Ms. Wild and Juror #13. Inquires from parties how to proceed.

**Mr. Beck:** Recommends Juror #13, be released based on her medical condition.

**Mr. Lowry:** Responds to comments from Mr. Beck. In agreement to release Juror #13.

**Court:** Inquires of parties how to address this issue with remaining jurors.

**Mr. Villa:** Agrees to release Juror #13. Suggests Court inform remaining jurors that Juror #13 has the flu.

**1:35 p.m. Jury enters courtroom.**

**Court:** Addresses jury regarding Juror #13. Informs jury that Juror #13 has been diagnosed with the flu.

**1:39 p.m.** Witness Frederico Munoz enters courtroom.

**Court:** Reminds Mr. Munoz that he is still under oath.

**Ms. Armijo:** Continues re-direct of Mr. Munoz.

**1:49 p.m.** Witness identifies Mr. Sanchez.

**2:01 p.m. Ms. Bhalla:** Stipulates to the identification of Mr. Herrera by Mr. Munoz.

**2:07 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 696 - 698.

**Ms. Duncan:** Requests to approach the bench.

**Court: Court:** Calls and conducts bench conference.

**2:09 p.m. Court:** Informs jurors that Ms. Fox-Young is out with a sick baby.

**Court: Admits Govt Exhibits 697 & 698.**

**2:12 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 619 – 627.

**Defense:** No objections.

**Court: Admits Govt Exhibits 619 – 627.**

**2:18 p.m. Ms. Armijo:** Passes the witness.

**Ms. Duncan:** Cross examination of Mr. Munoz, on behalf of Deft Baca.

**2:24 p.m. Ms. Armijo:** Objection, calls for hearsay.

**Court: Sustained.**

**2:25 p.m. Ms. Duncan:** Passes the witness.

**Ms. Jacks:** Cross examination of Mr. Munoz, on behalf of Deft Sanchez.

**2:33 p.m. Ms. Armijo:** Objection, foundation.

**Court:** Sustained.

**Ms. Jacks:** Passes the witness.

**Ms. Armijo:** Re-direct examination of Mr. Munoz.

**2:35 p.m. Ms. Armijo:** No further questions.

**Court: Mr. Munoz may step down from the witness stand. Witness is excused from the proceedings.**

**2:36 p.m. Ms. Armijo:** Calls Robert Martinez to testify.

**Clerk:** Swears in Robert Martinez.

**Ms. Armijo:** Direct examination of Mr. Martinez.

**2:39 p.m. Ms. Armijo:** Moves to admit Govt Exhibit 244.

**Defense:** No objections.

**Court: Admits Govt Exhibit 244.**

**2:52 p.m. Ms. Armijo:** Moves to admit Govt Exhibit 666 & 665.

**Defense:** No objections.

**Court: Admits Govt Exhibit 666 & 665.**

**2:59 p.m.** Mr. Martinez identifies Deft Baca.

**3:02 p.m. Court in recess.**

**3:15 p.m. Court in session.**

**Mr. Beck:** Requests the Court to review Govt Exhibit 305.

**3:18 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Martinez he is still under oath.

**Ms. Armijo:** Continue direct examination of Mr. Martinez.

**3:20 p.m.** Mr. Martinez identifies Deft Sanchez.

**3:21 p.m.** Mr. Martinez identifies Deft Herrera.

**3:41 p.m. Ms. Duncan:** Objection, calls for hearsay.

**Court:** Lay foundation.

**Ms. Armijo:** Continues direct examination of Mr. Martinez.

**3:51 p.m. Ms. Duncan:** Requests to approach bench.

**Court:** Calls and conducts bench conference.

**3:52 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 276 & 277.

**Court: Admits Govt Exhibits 276 & 277.**

**4:10 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 686 & 687.

**Defense:** No objection.

**Court: Admits Govt Exhibits 686 & 687.**

**4:14 p.m. Ms. Armijo:** Passes the witness.

**Ms. Duncan:** Cross examination of Mr. Martinez, on behalf of Deft. Baca.

**4:25 p.m. Ms. Duncan:** Moves to admit Defendant Exhibit Z16.

**Govt & Defense:** No objection.

**Court:** Admits Defendant Exhibit Z16.

**4:27 p.m. Ms. Duncan:** Moves to withdraw Defendant Exhibit Z16, and admit Defendant Exhibit Y1.

**Govt & Defense:** No objection.

**Court: Grants withdrawal of Defendant Exhibit Z16, admits Defendant Exhibit Y1.**

**4:43 p.m. Ms. Duncan:** Passes the witness.

**Mr. Maynard:** Cross examination of Mr. Martinez, on behalf of Deft Herrera.

**4:47 p.m. Court in recess.**

**4:59 p.m. Court in session.**

**Court:** Addresses the transcript under review by the Court.

**5:02 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Martinez that he is still under oath.

**Mr. Maynard:** Continues cross examination of Mr. Martinez.

**5:04 p.m. Mr. Maynard:** Passes the witness.

**Mr. Villa:** Cross examination of Mr. Martinez, on behalf of Deft Perez.

**5:13 p.m. Mr. Villa:** Passes the witness.

**Ms. Armijo:** Re-direct examination of Mr. Martinez.

**5:21 p.m. Ms. Armijo:** No further questions.

**Court: Mr. Martinez may step down from the witness stand. Witness is excused from the proceedings.**

**Mr. Castellano:** Calls Roy Martinez to testify.

**5:26 p.m. Court in recess.**

**FRIDAY, FEBRUARY 16, 2018**

**8:24 a.m. Court in session.**

**Mr. Villa:** Informs the Court Ms. Fox-Young's baby is still feeling ill and will not be in Court today.

**Court:** Informs parties that Juror #18, fell while crossing the street, coming into the building.

**Clerk:** Informs parties that Juror #16, received at 10:51 p.m., a Facebook Messenger picture from an individual she went to high school with, and has no outside contact with. The picture was of the individual in a yellow hoodie, with a red zia symbol. Juror felt uncomfortable after receiving photo.

**Court:** Instructs the Clerk to obtain the name of the individual and turn over the information to DUSM Mickendrow.

**8:27 a.m. Ms. Armijo:** Requests that the name of the person that sent the picture be kept to the attorneys only, if the name is released from the USMS.

**Court:** Agrees to keep the name of the individual for attorney eyes only.

**8:29 a.m. Ms. Jacks:** Addresses Govt witness for today, correctional office that witnessed the assault. Witness was on a bad act letter for Deft Sanchez.

**Mr. Castellano:** Responds to comments by Ms. Jacks.

**Court:** Requests case law re: Ms. Jacks concerns.

**8:32 a.m. Mr. Beck:** Addresses Govt Exhibit 305 presented to the Court 02/15/2018.

**8:35 a.m. Jury enters courtroom.**

**8:36 a.m. Mr. Castellano:** Calls Roy Martinez to testify.

**Court:** Swears in Roy Martinez.

**8:38 a.m. Mr. Castellano:** Direct examination of Mr. Martinez.

**Mr. Castellano:** Moves to admit Govt Exhibits 688 & 689.

**Defense:** No objection.

**Court:** Admits Govt Exhibits 688 & 689.

**9:20 a.m. Mr. Lowry:** Objects to the narrative testimony.

**Court:** Break up the testimony with questions.

**9:23 a.m. Mr. Lowry:** Objection, hearsay.

**Court:** Sustained.

**9:24 a.m. Mr. Castellano:** Moves for the admission of Govt Exhibit 434.

**Defense:** No objection.

**Court:** Admits Govt Exhibit 434.

**9:43 a.m.** Mr. Martinez unable to identify Deft Baca. Indicates he needs his glasses.

**9:45 a.m. Court: Limiting instructions – Statements re: Deft Baca may only be used in consideration of Deft Baca, and may not be used against any other defendant.**

**9:56 a.m. Ms. Jacks:** Objection, hearsay.

**Mr. Castellano:** Agrees it is hearsay.

**Ms. Jacks:** Objection, hearsay.

**Court:** Over-ruled.

**10:00 a.m. Mr. Lowry:** Objection, calls for speculation.

**Court:** Over-ruled.

**10:02 a.m. Court in recess.**

**10:21 a.m. Court in session.**

**Court:** Informs jury that Ms. Fox-Young is out with a sick child. Out this morning, may be in this afternoon.

**Court:** Reminds Mr. Martinez he is still under oath.

**Mr. Castellano:** Continues direct examination of Mr. Martinez.

**10:38 a.m. Mr. Castellano:** Moves to admit Govt Exhibit 273, 274 & 275.

**Defense:** No objection.

**Court: Admits Govt Exhibit 273, 274 & 275.**

**10:54 a.m. Mr. Castellano:** Passes the witness.

**Ms. Bhalla:** Cross examination of Mr. Martinez, on behalf of Deft Herrera.

**10:56 a.m. Mr. Castellano:** Objection, calls for hearsay.

**Court:** Sustained.

**10:58 a.m. Ms. Bhalla:** Passes the witness.

**Mr. Lowry:** Cross examination of Mr. Martinez, on behalf of Deft Baca.

**11:48 a.m. Court:** Admonishes the witness that he is still under oath, and he is to not speak about his testimony or the case with anyone.

**11:48 a.m. Court in recess.**

**1:13 p.m. Court in session.**

**Court:** Requests DUSM Mickendrow to brief the Court and parties of the investigation related to Juror #16.

**DUSM Mickendrow:** Informs the Court of the status of the investigation. Not USM protocol to release investigative reports w/attachments.

**Mr. Villa:** Requests the Court order a copy of the USMS report w/photos be delivered to attorneys.

**DUSM Mickendrow:** Inquires if the only item requested is the photo. DUSM Mickendrow will send this request up his chain of command for approval.

**1:17 p.m. Jury enters courtroom.**

**1:20 p.m. Court:** Reminds Mr. Martinez that he is still under oath.

**Mr. Lowry:** Continue cross examination of Mr. Martinez.

**1:45 p.m. Mr. Lowry:** Moves to admit Defendant Exhibit Y3.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit Y3.**

**1:59 p.m. Mr. Lowry:** Passes the witness.

**Mr. Villa:** Cross examination of Mr. Martinez, on behalf of Deft Perez.

**2:07 p.m. Mr. Villa:** Marks Defendant Exhibit FQ.

**2:10 p.m. Mr. Villa:** Moves to admit Defendant Exhibit FQ.

**Govt & Defense:** No objection.

**Court: Admits Defendant Exhibit FQ.**

**2:19: Mr. Castellano:** Objection, referencing another witnesses testimony.

**Court:** Sustained.

**2:21 p.m. Mr Villa:** Passes the witness.

**Ms. Jacks:** Cross examination of Mr. Martinez, on behalf of Deft Sanchez.

**2:24 p.m. Ms. Jacks:** Passes the witness.

**Mr. Castellano:** Re-direct examination of Mr. Martinez.

**2:26 p.m. Court:** Calls and conducts bench conference.

**2:30 p.m. Court: Instructs jury that the statement being heard is for the purpose of the witness making consistent statements, not for the truth of the statement.**

**Mr. Castellano:** Continues re-direct examination of Mr. Martinez.

**2:37 p.m. Mr. Lowry:** Objections, calls for speculation.

**Court:** Over-ruled.

**2:41 p.m. Mr. Castellano:** Passes the witness.

**Ms. Bhalla:** Re-cross examination of Mr. Martinez.

**Mr. Lowry:** Re-cross examination of Mr. Martinez.

**2:45 p.m. Mr. Lowry:** Passes the witness.

**Mr. Castellano:** Re-direct examination of Mr. Martinez.

**2:46 p.m. Court in recess.**

**3:01 p.m. Court in session.**

**Court:** Informs parties that a copy of the photograph sent to Juror #16 will be distributed to counsel.

**Ms. Duncan:** Addresses the redaction of transcripts for the testimony of Mario Montoya.

**Mr. Castellano:** Responds to issues raised by Ms. Duncan.

**Court:** Instructs parties to submit the transcripts re: Mario Montoya, to the Court as soon as possible.

**3:05 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Martinez he is still under oath.

**Ms. Bhalla:** No further questions.

**Mr. Lowry:** Re-cross examination of Mr. Martinez.

**Court: Mr. Martinez may step down from the witness stand. Witness is excused from the proceedings.**

**Mr. Beck:** Calls Joey Arranda to testify.

**Clerk:** Swears in Joey Arranda.

**Mr. Beck:** Direct examination of Mr. Arranda.

**3:09 p.m. Mr. Beck:** Moves to admit Defendant Trial Exhibits M & N.

**Defense:** No objection.

**Court: Admits Defendant Trial Exhibits M & N.**

**3:24 p.m. Mr. Beck:** Passes the witness.

**Ms. Jacks:** Cross examination of Mr. Arranda, on behalf of Deft Sanchez.



**3:26 p.m. Ms. Jacks:** Passes the witness.

**Court:** Mr. Arranda may step down from the witness stand. Witness is excused from the proceedings.

**3:27 p.m. Mr. Castellano:** Calls Katherine Brusuelas to testify.

**Court:** Calls and conducts bench conference.

**3:29 p.m. Clerk:** Swears in Katherine Brusuelas,

**Mr. Castellano:** Direct examination of Ms. Brusuelas.

**3:35 p.m. Ms. Duncan:** Objection, hearsay.

**Mr. Castellano:** Will rephrase the question.

**3:50 p.m. Mr. Castellano:** Passes the witness.

**Ms. Duncan:** Cross examination of Ms. Brusuelas, on behalf of Deft Baca.

**3:59 p.m. Ms. Duncan:** Passes the witness.

**Ms Jacks:** Cross examination of Ms. Brusuelas, on behalf of Deft Sanchez.

**4:03 p.m. Ms. Jacks:** Passes the witness.

**Mr. Castellano:** Re-direct examination of Ms. Brusuelas.

**4:05 p.m. Mr. Castellano:** Passes the witness.

**Court:** Ms. Brusuelas may step down from the witness stand. Witness is excused from the proceedings.

**4:06 p.m. Ms. Armijo:** Calls Thomas Neale to testify.

**Clerk:** Swears in Thomas Neale.

**Ms. Armijo:** Direct examination of Mr. Neale.

**4:23 p.m. Mr. Lowry:** Objection. Requests to approach the bench.

**Court:** Calls and conducts bench conference.

**4:27 p.m. Ms. Armijo:** Continues direct examination of Mr. Neale.

**4:32 p.m. Court in recess.**

**4:44 p.m. Court in session.**

**Ms. Bhalla:** Inquires if the USMS are communicating w/Juror #16, re: photo.

**Court:** Informs parties of the results of the investigation by the USMS re: Juror #16 & photo.

**Clerk:** Informs the Court of the USMS communicating results of investigation to Juror #16.

**4:47 p.m. Jury enters courtroom.**

**Court:** Reminds Mr. Neale is still under oath.

**Ms. Armijo:** Continue direct examination of Mr. Neale.

**4:55 p.m. Ms. Armijo:** Moves to admit Govt Exhibit 278.

**Defense:** No objection.

**Court: Admits Govt Exhibit 278.**

**4:58 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 279, 280, 282.

**Defense:** No objection.

**Court: Admits Govt Exhibits 279, 280, 282.**

**5:02 p.m. Ms. Armijo:** Moves to admit Govt Exhibits 450 – 458.

**Defense:** No objection.

**Court: Admits Govt Exhibits 450 - 458.**

**5:12 p.m. Ms. Armijo:** Passes the witness.

**Mr. Lowry:** Cross examination of Mr. Neale, on behalf of Deft Baca.

**5:16 p.m. Ms. Armijo:** Objection, foundation.

**Court:** Lay a foundation.

**Mr. Lowry:** Passes the witness.

**Mr. Villa:** Cross examination of Mr. Neale, on behalf of Deft Perez.

**5:27 p.m. Mr. Villa:** Passes the witness.

**Ms. Armijo:** Re-direct examination of Mr. Neale.

**5:29 p.m. Ms. Armijo:** Passes the witness.

**Mr. Lowry:** Re-cross examination of Mr. Neale.

**Court: Mr. Neale may step down from the witness stand. Witness is subject to re-call. Witness must remain outside the courtroom.**

**5:32 p.m. Court in recess.**

